

Meek (FL) Price (NC) Spratt  
 Meeks (NY) Rahall Stark  
 Menendez Rangel Stenholm  
 Michaud Reyes Strickland  
 Millender- Rodriguez Tanner  
 McDonald Ross Tauscher  
 Miller, George Rothman Taylor (MS)  
 Molloyhan Roybal-Allard Thompson (CA)  
 Moore Ruppertsberger Thompson (MS)  
 Moran (VA) Rush Tierney  
 Murtha Ryan (OH) Towns  
 Nadler Sabo Turner (TX)  
 Napolitano Sanchez, Loretta Udall (CO)  
 Neal (MA) Sanders Udall (NM)  
 Oberstar Sandlin Van Hollen  
 Obey Schakowsky Velazquez  
 Olver Schiff Visclosky  
 Ortiz Scott (GA) Waters  
 Owens Scott (VA) Watson  
 Pallone Serrano Watt  
 Pascrell Sherman Waxman  
 Pastor Skelton Weiner  
 Payne Slaughter Wexler  
 Pelosi Smith (WA) Woolsey  
 Peterson (MN) Snyder Wu  
 Pomeroy Solis Wynn

## NOT VOTING—13

Akin Gephardt Pearce  
 Bradley (NH) Gutierrez Sanchez, Linda  
 Case Hobson T.  
 Clay McCotter Stupak  
 Fletcher Miller (NC)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1552

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 199, not voting 15, as follows:

[Roll No. 587]

## AYES—220

Aderholt Cannon Feeney  
 Bachus Cantor Ferguson  
 Baker Capito Flake  
 Ballenger Carter Foley  
 Barrett (SC) Castle Forbes  
 Bartlett (MD) Chabot Fossella  
 Bass Chocola Franks (AZ)  
 Beauprez Coble Frelinghuysen  
 Bereuter Cole Gallegly  
 Biggert Collins Garrett (NJ)  
 Bilirakis Cox Gerlach  
 Bishop (UT) Crane Gibbons  
 Blackburn Crenshaw Gilchrist  
 Blunt Cubin Gillmor  
 Boehlert Culberson Gillmore  
 Boehner Cunningham Goode  
 Bonilla Davis, Jo Ann Goodlatte  
 Bonner Davis, Tom Goss  
 Bono Deal (GA) Granger  
 Boozman DeLay Graves  
 Brady (TX) DeMint Green (WI)  
 Brown (SC) Diaz-Balart, L. Greenwood  
 Brown-Waite, Diaz-Balart, M. Gutknecht  
 Ginny Doolittle Harris  
 Burgess Dreier Hart  
 Burns Duncan Hastings (WA)  
 Burr Dunn Hayes  
 Burton (IN) Ehlers Hayworth  
 Buyer Emerson Hefley  
 Calvert English Hensarling  
 Camp Everett Herger

Hobson Moran (KS) Sensenbrenner  
 Hoekstra Murphy Sessions  
 Hostettler Musgrave Shadegg  
 Houghton Myrick Shaw  
 Hulshof Nethercutt Shays  
 Hunter Neugebauer Sherwood  
 Hyde Ney Shimkus  
 Isakson Northup Shuster  
 Issa Norwood Simmons  
 Istook Nunes Simpson  
 Janklow Nussle Smith (MI)  
 Jenkins Osborne Smith (NJ)  
 Johnson (CT) Ose Smith (TX)  
 Johnson (IL) Otter Souder  
 Johnson, Sam Oxley Stearns  
 Jones (NC) Paul Sullivan  
 Keller Pence Sweeney  
 Kelly Peterson (PA) Tancred  
 Kennedy (MN) Petri Tauzin  
 King (IA) Pitts Taylor (NC)  
 King (NY) Platts Terry  
 Kingston Pombo Thomas  
 Kirk Porter Thornberry  
 Kline Portman Tiahrt  
 Knollenberg Pryce (OH) Tiberi  
 Kolbe Putnam Toomey  
 LaHood Quinn Turner (OH)  
 Latham Upton  
 Leach Ramstad Vitter  
 Lewis (CA) Regula Walden (OR)  
 Lewis (KY) Rehberg Walsh  
 Linder Renzi Wamp  
 LoBiondo Reynolds Weldon (FL)  
 Lucas (OK) Rogers (AL) Weldon (PA)  
 Manzullo Rogers (KY) Weller  
 McCrery Rogers (MI) Whitfield  
 McHugh Rohrabacher Wicker  
 McInnis Ros-Lehtinen Wilson (NM)  
 McKeon Royce Wilson (SC)  
 Mica Ryan (WI) Wolf  
 Miller (FL) Ryun (KS) Young (AK)  
 Miller (MI) Saxton Young (FL)  
 Miller, Gary Schrock

## NOES—199

Abercrombie Eshoo Lucas (KY)  
 Ackerman Etheridge Lynch  
 Alexander Evans Majette  
 Allen Farr Maloney  
 Andrews Fattah Markey  
 Baca Filner Marshall  
 Baird Ford Matheson  
 Baldwin Frank (MA) Matsui  
 Ballance Frost McCarthy (MO)  
 Becerra Gonzalez McCarthy (NY)  
 Bell Gordon McCollum  
 Berkley Green (TX) McDermott  
 Berman Grijalva McGovern  
 Berry Hall McIntyre  
 Bishop (GA) Harman McNulty  
 Bishop (NY) Hastings (FL) Meehan  
 Blumenauer Hill Meek (FL)  
 Boswell Hinchey Meeks (NY)  
 Boucher Hinojosa Menendez  
 Boyd Hoeft Michaud  
 Brady (PA) Holden Millender-  
 Brown (OH) Holt McDonald  
 Brown, Corrine Honda Miller, George  
 Capps Hooley (OR) Mollohan  
 Capuano Hoyer Moore  
 Cardoza Inslee Moran (VA)  
 Carson (IN) Israel Murtha  
 Carson (OK) Jackson (IL) Nadler  
 Clyburn Jackson-Lee Napolitano  
 Conyers (TX) Neal (MA)  
 Cooper Jefferson Oberstar  
 Costello John Obey  
 Cramer Johnson, E. B. Olver  
 Crowley Jones (OH) Ortiz  
 Cummings Kanjorski Owens  
 Davis (AL) Kaptur Pallone  
 Davis (CA) Kennedy (RI) Pascrell  
 Davis (FL) Kildee Pastor  
 Davis (IL) Kilpatrick Payne  
 Davis (TN) Kind Pelosi  
 DeFazio Kleczka Peterson (MN)  
 DeGette Kucinich Pomeroy  
 Delahunt Lampson Price (NC)  
 DeLauro Lantos Rangel  
 Deutsch Larsen (WA) Reyes  
 Dicks Larson (CT) Rodriguez  
 Dingell LaTourette Ross  
 Doggett Lee Rothman  
 Dooley (CA) Levin Roybal-Allard  
 Doyle Lewis (GA) Ruppertsberger  
 Edwards Lipinski Rush  
 Emanuel Lofgren Ryan (OH)  
 Engel Lowey Sabo

Sanchez, Loretta Spratt Udall (NM)  
 Sanders Stark Van Hollen  
 Sandlin Stenholm Velazquez  
 Schakowsky Strickland Visclosky  
 Schiff Tanner Waters  
 Scott (VA) Tauscher Watson  
 Serrano Taylor (MS) Watt  
 Sherman Thompson (CA) Waxman  
 Skelton Thompson (MS) Weiner  
 Slaughter Tierney Wexler  
 Smith (WA) Towns Woolsey  
 Snyder Turner (TX) Wu  
 Solis Udall (CO) Wynn

## NOT VOTING—15

Akin Gephardt Sanchez, Linda  
 Barton (TX) Gutierrez T.  
 Bradley (NH) McCotter Scott (GA)  
 Case Miller (NC) Stupak  
 Clay Pearce  
 Fletcher Pickering

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1600

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MOTION TO ADJOURN

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to adjourn offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 54, noes 360, not voting 20, as follows:

[Roll No. 588]

## AYES—54

Ackerman Grijalva Meek (FL)  
 Allen Hastings (FL) Meeks (NY)  
 Baird Hill Millender-  
 Baldwin Hinchey McDonald  
 Ballance Honda Oberstar  
 Berry Jefferson Pallone  
 Brown, Corrine Johnson, E. B. Pelosi  
 Capuano Jones (OH) Rodriguez  
 Carson (IN) Kennedy (RI) Sandlin  
 Clyburn Kilpatrick Schakowsky  
 Davis (IL) Lampson Thompson (MS)  
 DeFazio Langevin Tierney  
 DeGette Lantos Towns  
 Delahunt Larsen (WA) Velazquez  
 DeLauro Larson (CT) Waters  
 Dingell Lee Waxman  
 Doggett McDermott Woolsey  
 Filner McGovern  
 Frank (MA) McIntyre

## NOES—360

Abercrombie Bass Bishop (UT)  
 Aderholt Beauprez Blackburn  
 Alexander Becerra Blunt  
 Andrews Bell Boehlert  
 Baca Bereuter Boehner  
 Bachus Berkeley Bonilla  
 Baker Berman Bonner  
 Ballenger Biggert Bono  
 Barrett (SC) Bilirakis Boozman  
 Bartlett (MD) Bishop (GA) Boswell  
 Barton (TX) Bishop (NY) Boucher

Boyd  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Hoyer  
Capito  
Capps  
Cardin  
Cardoza  
Carson (OK)  
Carter  
Castle  
Chabot  
Chocola  
Coble  
Cole  
Collins  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Flake  
Foley  
Forbes  
Ford  
Fossella  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Gutknecht  
Hall  
Harman  
Harris  
Hart

Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Janklow  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McHugh  
McInnis  
McKeon  
McNulty  
Meehan  
Menendez  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer

Ney  
Northup  
Norwood  
Nunes  
Nussle  
Obey  
Oliver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pascarella  
Pastor  
Paul  
Payne  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Loretta  
Sanders  
Saxton  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas

Thompson (CA)  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen

Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Watson  
Watt  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller

Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NOT VOTING—20

Akin  
Blumenauer  
Bradley (NH)  
Burr  
Case  
Clay  
Conyers

Feeney  
Fletcher  
Gephardt  
Gordon  
Gutierrez  
Herger  
Hunter

McCotter  
Miller (NC)  
Miller, George  
Pearce  
Sanchez, Linda  
T.  
Stupak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1616

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

# CONFERENCE REPORT ON H.R. 2115, VISION 100-CENTURY OF AVIA- TION REAUTHORIZATION ACT

Mr. MICA. Mr. Speaker, pursuant to House Resolution 422, I call up the conference report on the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 422, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 29, 2003, at page H10008.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

## PARLIAMENTARY INQUIRY

Mr. DEFAZIO. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DEFAZIO. Mr. Speaker, I would like to inquire whether the rules and precedents of the House require that after the House has voted, that we meet in conference, that an actual meeting of a conference take place?

The SPEAKER pro tempore. Under the precedents of the House, a conference report must be the product of an actual meeting of the managers appointed by the two Houses.

Mr. DEFAZIO. Mr. Speaker, I am sorry, the answer is yes then; when we vote to go to conference, there has to be an actual meeting?

The SPEAKER pro tempore. The gentleman is correct.

## POINT OF ORDER

Mr. DEFAZIO. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DEFAZIO. Mr. Speaker, I would make a point of order, since there was no actual meeting of the conference.

The SPEAKER pro tempore. Does the gentleman wish to be heard on his point of order?

Mr. DEFAZIO. I do.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DEFAZIO. Mr. Speaker, this is a crucial issue of the privileges of Members in our representation of our districts, of our constituencies, and of the precedents of the House of Representatives on how we conduct business.

The House earlier this week voted unanimously to return to conference because the bill had been in dispute because of a contentious section regarding the privatization or contracting out of 69 air traffic control towers. The only way it seemed possible to resolve that issue was to return to conference. The House voted unanimously to return to conference, but no conference meeting was ever held. Earlier in the debate one would have gotten the impression that such a meeting was held. It was not held.

The Chair has ruled that an actual physical meeting of the conferees representing the various points of view on the bill in representing their constituents must be convened and they must have the opportunity to work through those issues.

In this case, there was no meeting of any conference. No Democratic Member, and, to the best of my knowledge, no Republican Member, was invited to a conference, there was no public notice of a conference, and no conference took place. Yet the bill was modified and returned to the floor of the House here.

So, Mr. Speaker, given the 200 years of precedent that an actual conference meeting must take place before you can have a conference report, I would respectfully make a point of order under clause 12 of rule XXII that there be at least one conference meeting. As I understand it, that same rule provides for a point of order in the House against the report and for an automatic request for a new conference if the House managers fail to meet in open session.

So I would ask that the Chair so rule, that this bill is out of order, and that we be mandated to return to actually have a physical meeting of a conference.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MICA. Mr. Speaker, I do.

Mr. Speaker, the House, as I recall, just passed on a vote of 220 to 199 a rule by which this legislation would be considered before the House of Representatives. In that rule, there was clearly a provision that waived all points of order, which also would negate the previous standing rule of the House for specific meeting.